

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION

No. 2:09-CR-21-1BO

UNITED STATES OF AMERICA                    )  
  )  
                  v.                                )           O R D E R  
  )  
DELORES JEAN BAINES                         )

This matter comes before the Court by motion of the United States to dismiss the pending motion for revocation in the above-captioned matter. Based upon the motion, and the Court's review of the three psychiatric reports filed in this matter [D.E. #914, 920, and 922], the Court finds that:

a. the Defendant continues to suffer from a mental disease or defect that renders her unable to understand the nature and consequences of the proceedings against her and to assist properly in her defense;

b. additional efforts toward restoration of competency would be unsuccessful;

c. and that based upon the information and observations gathered by the medical staff to date, the Defendant is not a danger to herself or others.

Accordingly, the Court finds that commitment pursuant to 18 U.S.C. § 4246 would not be warranted in this case. Therefore, the Court will grant the Government's request and dismiss the pending motion.

It is further ORDERED that the Defendant be released upon her returned to the Eastern District of North Carolina.

SO ORDERED this 7 day of December, 2011.

A handwritten signature in black ink, appearing to read "Terrence Boyle", is written over a horizontal line.

HONORABLE TERRENCE W. BOYLE  
United State District Court Judge